

**REMARKS**

Claims 1, 3, 5-9, 11-14, 18, 20-21, 23 and 27-34 are pending in the application. Claims 1, 3, 5-9, 11-14, 18-21, 23, 27-29 and 31-34 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Wiggins (U.S. Patent No. 5,717,604) in view of Hoyer et al. (U.S. Patent No. 6,236,361). The claims have been amended to clarify the Applicants' claimed invention.

The Applicants' claimed invention is directed to Simple Network Management Protocol (SNMP) requests which are requests to retrieve or modify objects (for example, text strings, counter values) stored in a managed element. The SNMP requests received by the managed element are prioritized based on a user identifier in a network management message wrapper included in each request. (See Applicants' Specification Page 7, line 24 - Page 8, line 9.) The user identifier identifies the user of an application from which the request was sent. (See Applicants' Specification Fig. 3 and Page 7, lines 7-16.) The network management request is scheduled by the managed element dependent on the assigned priority value.

The cited prior art, Wiggins is directed to an algorithm (network monitoring system) for monitoring the use of applications subject to a licensing restriction. A licensed application is shared by a number of users. The monitoring system optimizes the use of licenses to use the shared application. If all licenses for the application are currently used, licenses are assigned based on a user's priority. (See Col 12, lines 20-56; Col. 14, lines 11-42; Fig. 7.)

The cited prior art Hoyer is directed to the use of performance data to calculate web site capacity. The performance data (bit rate, response time and CPU utilization) is stored in a MIB and retrieved using the standard SNMP protocol. (See Col. 8, lines 41-57.)

In contrast to the cited prior art, the Applicants' claimed invention assigns a priority value "to the received network management request, the priority value assigned by the managed element dependent upon a user identifier in a network management wrapper included in the request, the user identifier identifying the user of an application from which the request is being sent" as claimed by the Applicants in base Claims 1, 18, 27, 28, 29 and 30. The combination of Wiggins and Hoyer do not teach or suggest the Applicants' claimed invention for assigning priority to a received management request by a managed element dependent upon a user identifier in a network management wrapper included in the request.

Wiggins does not teach or suggest the Applicants' claimed "assigning a priority value to the received network management request, the priority value assigned by the managed element dependent upon a user identifier stored in a network management wrapper included in the request". In contrast, a request to use an application received from a user is processed as it is received with the user receiving a license based on the number of licenses available and the user's priority. Furthermore, Wiggins does not teach or suggest the Applicants' claimed "scheduling the network management requests, by the managed element". In contrast, Wiggins merely discusses an algorithm which monitors use of applications, so that licenses to use the application are assigned to the user with the highest priority. (See Col. 12, lines 32-56.) Hoyer merely discusses performance data stored in a MIB. There is no discussion of prioritizing requests for retrieving the performance data stored in the MIB.

The Office must read the Claims very broadly to suggest that the Applicants' claimed "managed element" which assigns a priority value to a received management request and schedules the request dependent on the assigned value could be equivalent to the application subject to a license restriction discussed by Wiggins. Wiggins' application does not assign priority to a network management request or schedule the network management request dependent on assigned priority. Wiggins' merely discusses priority of the application by the network monitoring system. Wiggins' application is therefore not equivalent to the claimed managed element.

Neither of the references is directed to prioritizing a received network management request by a managed element in a network. Wiggins is directed to monitoring the use of user applications subject to a license restriction and Hoyer is directed to calculating web site capacity using performance data retrieved using SNMP. Therefore, even if combined, the present invention as now claimed does not result as argued above.

The patentably distinguishing language reads in pertinent part:

"upon receiving the network management request, assigning a priority value to the received network management request, the priority value assigned by the managed

element dependent upon a user identifier in a message wrapper included in the request, the user identifier identifying the user of an application from which the request was sent"

The above quoted claim language is in base Claims 1, 18, 27, 28, 29 and 30.

As base Claims 1, 18, 27, 28, 29 and 30 recite novel subject matter, each of the dependent claims are also novel over Wiggins. The dependent claims also recite additional patentable limitations. Such limitations further distinguish the claimed invention and are not taught or suggested by Wiggins.

Claims 3, 20, and 33 recite that the priority value is added to "an authentication group comprising a plurality of users, in an authentication table". Wiggins does not discuss an authentication group or table. Wiggins merely discusses storing user identifiers and user priority for each user that is currently using the application so that licenses are given to users having the highest priority.

Claims 5, 21, 23, and 24 recite "determining the priority value by using the extracted user identifier to index the authentication table". Wiggins does not discuss using the user identifier to determine the priority value. In contrast, Wiggins stores a priority value for the user.

Claims 6 and 11 recite "selecting the order of execution of the network management request dependent on the determined priority value". Wiggins does not select the order of execution of requests from users to use an application. Wiggins merely allows execution of the application by the user, if there is an available license and denies or allows access based on priority if all licenses are currently being used. Thus, there is no order of execution of requests to execute an application.

Claims 8-9 and 13-14 recite "adding the management request to ... a request queue". The management request is added to the top or the bottom of the request queue dependent on the priority assigned to the management request. Wiggins does not discuss queuing of requests to use an application, if no license is currently available, access is denied. (See Col. 14, lines 28-30; Fig. 7, steps 318, 320.)

Claim 30 recites "the message is in the form of a Simple Network Management Request". Wiggins does not discuss Simple Network Management Requests and Hoyer does not discuss processing of Simple Network Management Requests by a managed element.

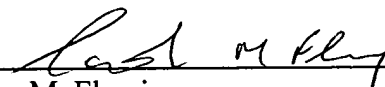
Therefore, separately or in combination, Wiggins and Hoyer do not teach or suggest the Applicants' claimed invention. Thus, none of the cited prior art alone or in combination teaches or suggests the Applicants' claimed method for prioritizing a network management request. Accordingly, the present invention as now claimed is not believed to be anticipated or made obvious by the cited art or any of the prior art. In view of the foregoing, removal of the rejection under 35 U.S.C. § 103(a) and acceptance of Claims 1, 3, 5-9, 11-14, 18, 20-21, 23 and 27-34 are respectively requested.

### CONCLUSION

In view of the above amendments and remarks, it is believed that all claims are in condition for allowance, and it is respectfully requested that the application be passed to issue. If the Examiner feels that a telephone conference would expedite prosecution of this case, the Examiner is invited to call the undersigned.

Respectfully submitted,

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